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## Letter dated 23 September 2016 from the Permanent Representative of Chile to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith a written statement from the delegation of Chile in exercise of the right of reply to the statement made on 21 September 2016 by the President of the Plurinational State of Bolivia, Evo Morales, at the seventy-first session of the General Assembly (see annex). I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Cristián **Barros**
Ambassador
Permanent Representative

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## Annex to the letter dated 23 September 2016 from the Permanent Representative of Chile to the United Nations addressed to the President of the General Assembly

### Reply of Chile to the statement made on 21 September 2016 by the President of the Plurinational State of Bolivia, Evo Morales, at the seventy-first session of the General Assembly

In his statement at the seventy-first session of the General Assembly, the President of the Plurinational State of Bolivia referred to bilateral relations with Chile.

In exercise of the right of reply to that statement, my delegation would like to refer to some erroneous historical assertions and comments and unfounded legal allegations that have to be refuted.

As regards the origin of the nineteenth century dispute alluded to by Bolivia, the President omitted in his statement key background information that shows that Bolivia violated the Treaty of Limits of 1874 which established the conditions for saltpetre exports from Antofagasta, which, according to the Bolivian historian, Alcides Arguedas, was inhabited mainly by Chileans. In addition to breaching the Treaty and the contract covering saltpetre production, Bolivia rejected repeated invitations by Chile to use the arbitration agreed by both countries, seized goods and had them auctioned off in flagrant violation of existing agreements and the rights of Chilean industrialists and workers in Antofagasta. It is also worth noting that during the nineteenth century and even well into the twentieth century, Bolivia experienced territorial losses and changes on several occasions which had nothing to do with the State of Chile.

The negotiation of the 1904 Treaty of Peace and Friendship, more than 20 years after the truce agreed between both countries, and pursuant to terms proposed by Bolivia, definitively sealed the bilateral relationship and led to provisions and lasting benefits for Bolivia with which Chile has strictly complied.

It is improper for President Evo Morales to mention his maritime aspiration openly in this multilateral forum, especially when it was Bolivia that brought the matter before the International Court of Justice.

Bolivia does have access to the sea, granted pursuant to the 1904 Treaty of Peace and Friendship, which is in full force and has been complemented on several occasions to the greater benefit of Bolivia. This highly beneficial non-sovereign access enables Bolivia to trade and communicate effectively with the world. It must be noted that pursuant to this Treaty and subsequent agreements, Chile grants Bolivia free transit facilities that exceed those granted by corresponding international instruments in force, in addition to other benefits not available even to Chilean citizens.

Chile has always been ready to engage in dialogue with Bolivia on the basis of full respect for international treaties and general international law. The unwavering willingness of Chile to pursue dialogue may be seen in our country's repeated interest in promoting integration through concrete actions and developing an agenda

involving specific, mutually beneficial projects. The Government of Bolivia speaks of dialogue yet in practice has chosen legal confrontation.

In addition to noting that these references are strictly bilateral in nature, this Permanent Mission believes that they are not within the jurisdiction of the United Nations and have no binding effects for Chile.